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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 984 OF 2007

Rajashree C. Dakhane ... Petitioner

Versus

Kandivali Education Society's
College of Arts & Commerce & Ors... Respondents

Mr. C.R. Sadasivan with Mr. N.M. Ganguli for Petitioner.

Mr. G. Ramachandran, Principal R. No. 1 in person.

Mr.B.N.Shastri for R. No. 2.

CORAM: F.I. REBELLO &
J.P.DEVADHAR, JJ.
DATED: AUGUST 06, 2007

P.C.:

. By communication dated 16.5.2006, the grievance made by the Petitioner it appears have been accepted and respondent No. 1 and 2 were directed to comply with what is set out therein. The Respondent No. 2 is represented by counsel. Respondent No.1 appears in person. It is his contention that he was not heard before the order was passed.

. We had called upon Respondent No. 1 to show whether there is any provision under the University of Mumbai Grievances Committee (Transaction of Business) Rules, 1998 where the decision of the grievance committee constituted under section 57 of

the Maharashtra. University Act, can be recalled. Our attention is invited to Rule 31. Rule 31 provides that if there is failure on the part of those who have to comply with the decision to take further action, steps can be taken in terms of Rule 31(2). It is the contention of Respondent No. 2 that they are willing to comply with the decision. That however, has tobe complied by Respondent No. 1 and inspite of repeated reminders the Respondent No. 1 has failed to do so. The Respondent No. 1 reiterates that as the decision was taken without hearing him that decision can not be made binding on him as according to Respondent No. 4 the same is contrary to law.

. The Respondent No. 1 has not challenged the said decision before us. The Petitioner has approached before us pointing out that there is failure by Respondent Nos. 1 and 2 to take action in terms of the communication dated 16.5.2006 by the university.

. Considering the above, and in terms of Rule 31(2), we direct respondent No. 3 within 30 days from today to take action against respondent Nos. 1 and 2 according to law.

. With the above observations, Petition stands disposed of.

(J.P.DEVADHAR, J.) **(F.I.REBELLO, J.)**